

02-09-06

IFW #



Express Mail No. EV 746 664 460 US
Attorney Docket No.: 056409-5096 US
Application No.: 10/719,985

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:

Jeffrey R. POWERS et al.

Application No.: 10/719,985

Filed: November 24, 2003

For: CONNECTOR FOR FUEL CELL

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)
) Confirmation No.: 1749
)
) Group Art Unit: 3679
)
) Examiner: To be assigned
)
)

Mail Stop Amendment
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

INFORMATION DISCLOSURE STATEMENT UNDER 37 C.F.R. § 1.97(b)(3)

Sir:

Pursuant to 37 C.F.R. §§ 1.56 and 1.97(b)(3), Applicants bring to the attention of the Examiner the documents listed on the attached PTO-1449, which is filed before the first Office Action on the merits. Applicants respectfully request consideration of the attached references during prosecution of the above application.

Applicants include a Concise Explanation for one reference filed concurrently herewith, French patent number 2,273,594, which issued on January 2, 1976 to Paul Partiot.

This submission does not represent that a search has been made or that no better art exists and does not constitute an admission that any of the listed documents is material or constitute "prior art." If it should be determined that any of the listed documents do not constitute "prior art" under United States law, Applicants reserve the right to present to the Office the relevant facts and law regarding the appropriate status of the documents.

Applicants' further reserve the right to take appropriate action to establish the patentability of the disclosed invention over any listed documents, should any of the documents be applied against the claims of the present application.

02/13/2006 EFLORES 00000003 500310 10719985

01 FC:1806 180.00 DA

I-NY/1994891.1

02/13/2006 EFLORES 00000003 500310 10719985
01 FC:1806 180.00 DA

This Statement is being filed before an action which closes prosecution on the merits.
Please charge the required estimated fee of \$180.00 under 37 C.F.R. 1.17(p), and any additional
fee(s) that may be required, to Morgan, Lewis & Bockius LLP Deposit Account No. 50-0310. A
copy of this sheet is enclosed.

Respectfully submitted,

MORGAN, LEWIS & BOCKIUS LLP

Date: February 7, 2006

by: _____

A handwritten signature in black ink, appearing to read 'Frank J. Spanitz', is written over a horizontal line.

Frank J. Spanitz
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EXPRESS MAIL NO. EV 746 664 460 US

Application Serial No. 10/719,985
Attorney Docket No. 56409-5096-US

ATTACHMENT (to Information Disclosure Statement Filed February 7, 2006)

CONCISE EXPLANATION OF RELEVANCE UNDER 37 C.F.R. § 1.98(a)(3)(i)

Inventor: Partiot, Paul
Country: France
Application No.: 2 273 594
Title: Raccord souple adaptable sur les bombes aerosol pour permettre la sortie
 'a distance du produit
Rough approximation
of title: [Flexible adapter for aerosol containers that permit the product to be
 dispensed at a distance]
Application Date: June 5, 1974
Issue Date: January 2, 1976

Explanation:

This French patent appears to be for a flexible piece of tubing that could be connected to the top of an aerosol container in a way that might allow a person to dispense some or all of the contents of the container at a distance. It appears that the mechanism utilized is a push bar at the end of the tubing which somehow causes pressure against the nozzle of the canister and thereby causes some or all of the contents to be released through a nozzle at the end of the tubing.

INFORMATION DISCLOSURE CITATION		Attorney Docket No. 056409-5096	Application No.: 10/719,985
(Use several sheets if necessary) PTO Form 1449		Applicant(s): POWERS	PAGE 1 of 3
		Filing Date: Nov. 24, 2003	Group Art Unit: 3679 Confirmation No.: 1749

U.S. PATENT DOCUMENTS

*Examiner Initial	Document Number	Date	Name	Class	Sub Class	Filing Date
	US 2003/0111135 A1	Jun. 19, 2003	Vallon, et. al.	141	348	Dec. 12, 2002
	6,626,344 B2	Sept. 30, 2003	Shkolnikov, et al.	227	10	Apr. 2, 2002
	6,523,860 B1	Feb. 25, 2003	Shkolnikov, et al.	285	3	Oct. 12, 2000
	6,371,338 B1	Apr. 16, 2002	Klein, et. al.	222	402.1	Jul. 19, 2000
	6,302,297 B1	Oct. 16, 2001	Richardson, et. al.	222	1	Sept. 6, 2000
	6,223,966 B1	May 1, 2001	Nayrac, et al.	227	130	Feb. 4, 1999
	6,217,085 B1	Apr. 17, 2001	Toulouse	285	319	Nov. 24, 1998
	6,098,625	Aug. 8, 2000	Winkler	128	842	Jan. 15, 1999
	6,053,005	Apr. 25, 2000	Boitnott	62	298	Feb. 12, 1999
	6,032,836	Mar. 7, 2000	Hiscocks, et. al.	222	402.2	Apr. 12, 1996
	6,032,835	Mar. 7, 2000	Burt	222	402.1	Sep. 9, 1998
	6,032,833	Mar. 7, 2000	Olegnowicz	222	231.9	Jul. 24, 1998
	6,016,945	Jan. 25, 2000	Phillips, et. al.	227	10	Dec. 31, 1997
	5,988,039	Nov. 23, 1999	Denchfield, et. al.	89	7	May 8, 1996
	5,979,867	Nov. 9, 1999	Ortiz Godinez	251	149.4	Nov. 14, 1996
	5,954,345	Sep. 21, 1999	Svoboda, et. al.	277	626	Oct. 10, 1996
	5,915,595	Jun. 29, 1999	Dow, et al.	222	95	Aug. 21, 1996
	5,911,443	Jun. 15, 1999	LeQuere	285	3	Jan. 15, 1996
	5,692,783	Dec. 2, 1997	Watanabe, et. al.	285	61	May 21, 1996
	5,567,074	Oct. 22, 1996	Dovak, et al.	403	197	Sep. 19, 1995
	5,328,216	Jul. 12, 1994	Miyauchi, et al.	285	319	Mar. 10, 1993
	5,263,439	Nov. 23, 1993	Doherty, et. al.	123	46 SC	Nov. 13, 1992
	5,213,247	May 25, 1993	Gschwend, et al.	227	10	Oct. 10, 1991
	5,115,944	May 26, 1992	Nikolich	222	94	Aug. 14, 1990
	5,070,858	Dec. 10, 1991	Wang	126	38	Feb. 15, 1991
	5,029,730	Jul. 9, 1991	Kostecki, et. al.	222	3	Mar. 23, 1989
	4,995,643	Feb. 26, 1991	Rappart, et. al.	285	4	Sept. 14, 1989
	4,995,417	Feb. 26, 1991	Naku	137	231	Apr. 2, 1990
	4,971,224	Nov. 20, 1990	Scremin	222	3	Jul. 7, 1988
	4,911,194	Mar. 27, 1990	Lechner	137	75	Oct. 23, 1989

		4,905,576	Mar. 6, 1990	Reynolds	92	128	Apr. 21, 1988
		4,902,043	Feb. 20, 1990	Zillig, et.al.	285	4	Sep. 8, 1986
		4,878,595	Nov. 7, 1989	Uhlig	220	306	Jun. 9, 1988
		4,717,060	Jan. 5, 1988	Cotta	227	10	Jul. 2, 1986
		4,522,162	Jun. 11, 1985	Nikolich	123	46.5 C	Nov. 14, 1983
		4,491,060	Jan. 1, 1985	Boski	92	128	June 30, 1983
		4,483,474	Nov. 20, 1984	Nikolich	227	8	May 2, 1983
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		4,482,172	Nov. 13, 1984	DeVera, et. al.	285	137 R	Jul. 9, 1981
		4,331,277	May 25, 1982	Green	227	19	May 23, 1980
		4,328,983	May 11, 1982	Gibson	285	382	June 15, 1979
		4,261,598	April 14, 1981	Cornwall	285	56	Aug. 6, 1979
		4,094,384	June 13, 1978	Heilmann	184	55A	Oct. 19, 1976
		4,065,029	Dec. 27, 1977	Chernock	222	3	Jan. 14, 1976
		4,005,883	Feb. 1, 1977	Guest	285	322	Aug. 1, 1975
		3,978,844	Sept. 7, 1976	Wilkins	126	38	Apr. 7, 1975
		3,907,012	Sept. 23, 1975	Burke	141	349	May 31, 1974
		3,858,910	Jan. 7, 1975	Oetiker	285	84	Apr. 10, 1973
		3,837,555	Sept. 24, 1974	Green	227	130	Sept. 22, 1972
		3,817,297	June 18, 1974	King	141	20	Aug. 20, 1971
		3,815,476	June 11, 1974	Green, et. al.	91	410	Mar. 17, 1971
		3,731,718	May 8, 1973	Gramig	141	384	Mar. 3, 1971
		3,654,965	Apr. 11, 1972	Gramain	138	89	June 1, 1970
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		3,618,842	Nov. 9, 1971	Bryan	227	138	Mar. 20, 1970
		3,514,129	May 26, 1970	Holdren	285	140.1	Nov. 9, 1967
		3,273,610	Sept. 20, 1966	Frost	141	353	Aug. 7, 1961
		3,131,733	May 5, 1964	Monahon	141	349	Jan. 27, 1961
		3,035,617	May 22, 1962	Breitenstein	141	349	Jan. 9, 1957
		2,925,103	Feb. 16, 1960	Kerr, et. al.	141	349	Nov. 23, 1956
		1,221,650	Apr. 3, 1917	Atkins, et. al.	172	374	Dec. 18, 1916

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		Document Number	Date	Country	Class	Sub Class	<u>Translation</u> YES NO	
		EP 1 321 242 A1	June 25, 2003	European Patent Office	B25C	1/08	Abstract	X
		EP 1 310 334 A1	Oct. 30, 2002	European Patent Office				X
		EP 1 197 299 A2	Apr. 17, 2002	European Patent Office	B25C	1/06		X
		EP 0 922 902	June 16, 1999	European Patent Office	B25C1	08	Abstract	X

		EP 0 771 996 A2	May 7, 1997	European Patent Office	F17C	13/04	Abstract	X
		FR 2,771,796	June 4, 1999	France	F17c 13/00		Abstract	X
		FR 2,273,594	Jan. 2, 1976	France	B 05 B 15/00B	65 D 83/14		X
		GB 2,211,506 A	May 7, 1989	Great Britain	F16L 47/00	37/16		X
		GB 2,172,356	Sep. 17, 1986	Great Britain	F16L 37/08			X
		GB 2,167,147A	May 21, 1986	Great Britain	F16L 37/08			X
		GB 1,311,322	March 28, 1973	Great Britain	F04F 1/06			X
		GB 1,101,918	Feb. 7, 1968	Great Britain	A 24 f 45/20			X
		GB 1,056,134	Jan. 25, 1967	Great Britain	F16k			X
		GB 1,033,689	June 22, 1966	Great Britain	F 061			X
		GB 1,019,524	Feb. 9, 1966	Great Britain	F 061			X
		WO 01/35015 A1	May 17, 2001	PCT	F17C 13/00	F16L 37/24 8		X

OTHER DOCUMENTS (Including Author, Title, Date, Pertinent Pages, Etc.)

		SMC, excerpt from The Pneumatic Catalogue '98 (1998). Excerpt contains 13 pages: cover, title page, table of contents, page nos. 4-1, 4-10, 4-13, 4-14, 4-36, 4-37, 4-46, 4-47, 4-70, 4-72
		SMC, Cat. ES 50-17B, Clean One-Touch Fittings and Tubing: Clean one-touch fittings: Series KP/KPQ/KPG, Clean Tubing Series TPH/TPS; (1999) 20 pages: cover, features 1-2, pages 1-16, back cover.

Examiner	Date Considered
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Examiner: Initial if reference considered, whether or not citation is in conformance with MPEP 609; draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.